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Page 8**REMARKS**

The final Official Action and subsequent Advisory Action continue to reject all of the pending claims, namely Claims 1-21, under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,757,649 to Kato. In addition, the final Official Action and Advisory Action continue to reject Claims 1-21 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,438,444 to Mizuno, in view of U.S. Patent No. 5,757,648 to Nakamura. To advance prosecution of the present application, Applicant has amended independent Claims 1, 8 and 15 to more clearly define the claimed invention, as explained below. In view of the amendments to the claims and the remarks presented herein, Applicant respectfully requests reconsideration and allowance of all of the pending claims of the present application.

**A. The Claimed Invention is Patentable over the Kato Patent**

As explained in response to the final Official Action, in contrast to the method, system and computer program product of independent Claims 1, 8 and 15, the Kato patent does not teach or suggest extracting process information from electronic simulation information. In this regard, the Kato patent discloses defining machining shapes from two and three-dimensional machining definition tables that include elements that collectively form product graphic data. However, the final Official Action alleges that "'extracting process information from electronic simulation information' may be interpreted as including the process of inputting by a user design specifications [electronic simulation information] and generating the initial graphical data [process information] by the processor means."

Although Applicant believes that neither the term "electronic simulation information" nor "process information" can reasonably be interpreted in the manner alleged in the final Official Action, Applicant has amended independent Claims 1, 8 and 15 to further define the term "electronic simulation information." More particularly, independent Claims 1, 8 and 15 have been amended to recite that electronic simulation information of the claimed invention is representative of information regarding the motion device(s) (e.g., NC devices) and, when the motion device(s) are configured to operate on at least one object (e.g., components), information regarding the object(s). As also amended, independent Claims 1, 8 and 15 recite that the

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electronic simulation information is otherwise capable of being used to verify operation of the motion device(s) produced by a set of operation information (e.g., machine control data – MCD).

As previously explained, the Kato patent discloses defining machining shapes from two and three-dimensional machining definition tables that include elements that collectively form product graphic data. Nowhere, however, does the Kato patent disclose defining machining shapes based upon, or extracting machining shapes from, electronic simulation information, as recited by amended independent Claims 1, 8 and 15. In this regard, the machining definition tables disclosed by the Kato patent include elements that collectively form product graphic data. In contrast, as now recited by amended independent Claims 1, 8 and 15, the electronic simulation information is representative of information regarding motion device(s) and, when the motion device(s) are configured to operate on object(s), information regarding the object(s). For example, the electronic simulation information can include information respecting various machine tools, information related to the components to be operated upon by the machine tool, as well as “high level” motion control information (e.g., NC set for the particular component assembly and machine tools). Pat App., p. 9, ll. 18-29.

As also recited by amended independent Claims 1, 8 and 15, the electronic simulation information can otherwise be capable of being used to verify operation of motion devices produced by a finished set of operation information, such as the machine control data (MCD) derived from a NC program. *Id.* at ll. 6-10. In contrast, nowhere does the Kato patent teach or suggest any information capable of being utilized to verify the operation of motion devices, whether the product graphic data, elements of the product graphic data, two or three-dimensional machining shapes, two or three-dimensional machining definition tables, NC data intrinsic to a machine, NC source data or otherwise. Thus, Applicant respectfully submits that the Kato patent does not teach or suggest extracting process information from electronic simulation information, as recited by amended independent Claims 1, 8 and 15.

Not only does the Kato patent not teach or suggest extracting process information from electronic simulation information, the Kato patent also does not teach or suggest formatting the process information into neutral process information in a format independent of a format of the electronic simulation information, as also recited by independent Claims 1, 8 and 15. In this regard, as explained above, nowhere does the Kato patent teach or suggest any information,

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electronic simulation information or otherwise, capable of being utilized to verify the operation of motion devices. And because the Kato patent does not teach or suggest electronic simulation information, the Kato patent likewise does not teach or suggest formatting process information into neutral process information in a format independent of the format of electronic simulation information, as recited by amended independent Claims 1, 8 and 15.

Applicant therefore respectfully submits that amended independent Claims 1, 8 and 15 are patentably distinct from the Kato patent. And as dependent Claims 2-7, 9-14 and 16-21 each depend, directly or indirectly, from independent Claims 1, 8 and 15, respectively, Applicant also respectfully submits that dependent Claims 2-7, 9-14 and 16-21 are patentably distinct from the Kato patent. Thus, Applicant respectfully submits that the rejection of Claims 1-21 under 35 U.S.C. § 102(e) as being anticipated by the Kato patent is overcome.

**B. The Claimed Invention is Patentable over the Mizuno and Nakamura Patents**

The final Official Action also continues to reject Claims 1-21 under 35 U.S.C. § 103(a) as being unpatentable over the Mizuno patent, in view of the Nakamura patent. As conceded by the Official Action, the Mizuno patent does not disclose extracting process information from electronic simulation information, as recited by independent Claims 1, 8 and 15. Similarly, as explained in response to the first Official Action, the Nakamura patent likewise does not teach or suggest extracting process information from electronic simulation information. In this regard, in any embodiment of the Nakamura patent, the system operates with machining programs, whether directly implementing a machining program, converting a machining program into a compatible machining program for other machining equipment, or reading machining figure data from a CAD system to generate a machining program. The Nakamura patent does not teach or suggest the use of electronic simulation information, much less extracting process information from electronic simulation information, as recited by amended independent Claims 1, 8 and 15.

The Nakamura patent does disclose schedules including the name of a machining program for controlling machining equipment. The Nakamura patent also discloses converting a machining program corresponding to one machining equipment into a compatible machining program for other machining equipment. The Nakamura patent even discloses reading machining figure data from a CAD system to generate a machining program. Nowhere does the

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Nakamura patent teach or suggest, however, extracting process information from electronic simulation information, the electronic simulation information being representative of information regarding motion device(s) and any objects the motion device(s) are configured to operate on, as recited by amended independent Claims 1, 8 and 15.

In any embodiment of the Nakamura patent, the system operates with machining programs, whether directly implementing a machining program, converting a machining program into a compatible machining program for other machining equipment, or reading machining figure data from a CAD system to generate a machining program. Like the Kato patent, the Nakamura patent does not teach or suggest any information, electronic simulation information or otherwise, traditionally utilized to verify the operation of motion devices. In accordance with the claimed invention, by utilizing electronic simulation information, the method, system and computer program product can eliminate many steps in the creation, verification and use of motion device commands, as required by conventional systems, including the Nakamura system and the Mizuno system. More particularly, the claimed invention can control operation of motion device(s) without operation information (e.g., MCD) conventionally required to control the operation of such motion device(s). Thus, Applicant respectfully submits that the Nakamura patent, like the Mizuno patent, does not teach or suggest extracting process information from electronic simulation information, as recited by amended independent Claims 1, 8 and 15.

Like the Kato and Mizuno patents, the Nakamura patent also does not teach or suggest formatting the process information into neutral process information in a format independent of a format of the electronic simulation information, as also recited by amended independent Claims 1, 8 and 15. In a manner similar to that explained above with respect to the Kato patent, because the Nakamura patent does not teach or suggest electronic simulation information, the Nakamura patent likewise does not teach or suggest formatting process information into neutral process information in a format independent of the format of electronic simulation information, as recited by amended independent Claims 1, 8 and 15.

Applicant therefore respectfully submits that, in contrast to the method, system and computer program product of amended independent Claims 1, 8 and 15, neither the Mizuno nor the Nakamura patents teach or suggest either extracting process information from electronic simulation information, or formatting the process information into neutral process information in

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a format independent of a format of the electronic simulation information. As such, Applicant respectfully submits that amended independent Claims 1, 8 and 15 are patentably distinct from both the Mizuno and Nakamura patents, taken individually or in combination. And as dependent Claims 2-7, 9-14 and 16-21 each depend, directly or indirectly, from amended independent Claims 1, 8 and 15, respectively, Applicant also respectfully submits that dependent Claims 2-7, 9-14 and 16-21 are patentably distinct from the Mizuno and Nakamura patents, taken individually or in combination. Thus, Applicant respectfully submits that the rejection of Claims 1-21 under 35 U.S.C. § 103(a) as being unpatentable over the Mizuno patent, in view of the Nakamura patent is overcome.

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### CONCLUSION

In view of the amended claims and the remarks presented above, Applicant submits that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicant's undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,




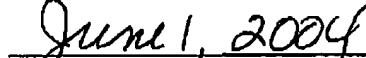
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